

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE: TESTOSTERONE REPLACEMENT
THERAPY PRODUCTS LIABILITY
LITIGATION

MDL No. 2545

Master Docket Case No. 1:14-cv-01748

Honorable Matthew F. Kennelly

CHRISTOPHER HUGHES AND JUDY
HUGHES,

Plaintiffs,

vs.

ABBVIE INC. and ABBOTT
LABORATORIES INC.,

Defendants.

MOTION FOR SUBSTITUTION

Civil Action No.: 1:14-cv-1748

This document relates to Case No. 14-cv-1476, Christopher Hughes v. AbbVie Inc, et al

MOTION FOR SUBSTITUTION OF THE PROPER PARTY

Plaintiff, Judy Hughes, by counsel, moves for substitution of the proper party in this case pursuant to Federal Rule of Civil Procedure 25(a). Plaintiffs initially filed their complaint in this litigation on February 28, 2014 and amended the Complaint. Christopher Hughes died on April 24, 2014. On October 23, 2014, Plaintiff Judy Hughes was appointed as the personal representative of his estate. The attached Statement Noting Death is the first statement noting death to be filed or served in this matter. **Ex. 1**, Statement Noting Death. Plaintiff seeks an order from the Court substituting Christopher's estate as the Plaintiff.

According to Federal Rule of Civil Procedure 25(a)(1), “If a party dies and the claim is not extinguished, the court may order substitution of the proper party. A motion for substitution may be made by any party or by the decedent’s successor or representative.”

For good cause shown, Plaintiffs respectfully request the Court to order substitution of the Estate and for the Clerk to file the attached Second Amended Complaint. **Ex. 2**, Second Amended Complaint.

December 16, 2014

Respectfully Submitted,

s/ Ronald E. Johnson, Jr.

Ronald E. Johnson, Jr. (KY 88302)
Sarah N. Lynch (KY 94261)
SCHACHTER HENDY & JOHNSON PSC
909 Wright’s Summit Parkway #210
Ft. Wright, Kentucky 41011
Tel. 859.578.4444
Facsimile 859.578.4440
rjohnson@pschachter.com
slynch@pschachter.com

Joseph M. Lyon (OH 0076050)
THE LYON FIRM
22 West 9th
Cincinnati, Ohio 45202
Tel. 513.381.2333
jlyon@thelyonfirm.com

Scott Morgan (IL 6209550)
MORGAN LAW FIRM, LTD.
55 West Wacker Dr., Suite 900
Chicago, Illinois 60601
Tel. 312.327.3386
Facsimile 888.396.2478
smorgan@smorgan-law.com

John Sawin (IL 6227112)
SAWIN LAW FIRM, LTD.
55 West Wacker Drive, Suite 900
Chicago, Illinois 60601
Tel. 312.853.2490
Facsimile 312.327.7072

jsawin@sawinlawyers.com

COUNSEL FOR PLAINTIFFS